

**ORDINANCE NO. 2002-21-CM**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:**

**Section 1:** Change **1-10-2**, WORDS AND TERMS DEFINED, of **1-10** DEFINITIONS, of **CHAPTER 1**, GENERAL PROVISIONS, by adding definitions of “Federal Aid Primary Highway,” “National Highway System,” “rural outdoor sign” and “urban area” to read:

**FEDERAL-AID PRIMARY HIGHWAY.** Any highway on the Federal-aid primary system in existence on June 1, 1991 as defined in 23 USC, and any highway which is not on such system but which instead is on the *National Highway System* as defined in section 23 U.S.C. 103(b) and 104(c) of ISTEA. (See Appendix F-2)

**NATIONAL HIGHWAY SYSTEM.** The system of highways designated and defined in 23 U.S.C. 103(b). (See Appendix F-2)

**RURAL OUTDOOR SIGN.** Any *sign* that is a freestanding device, fixture or placard that uses any color, form, graphic, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public and which is:

- (1) located only on A, AA, or AW zoned property;
- (2) unrelated to the property on which it is erected and maintained;
- (3) 6 sq. ft. or less;
- (4) placed outside the boundaries of the *urban area* as defined by this ordinance;
- (5) not located within sight of any *Federal-Aid Primary Highway*, any road on the *National Highway System*, or Interstate System (See Appendix F-2);
- (6) not located within sight of any *road* designated as requiring a special *setback* in Section 4-4-3(a); and
- (7) not in any public *right-of-way*.

**URBAN AREA.** Land that falls within:

- (1) the 2000 urbanized area designated by the United States Bureau of Census (See Appendix F-1); or
- (2) an incorporated city or town.

**Section 2:** Change **4-8-3**, SIGNS ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS, of **4-8**, SIGNS, of **CHAPTER 4** ADDITIONAL USE RESTRICTIONS, by adding new subsection (d) to read:

- (d) *Rural outdoor signs* are the subject of 4-8-12 below. Other than the provisions of 4-8-2(a) and (b), 4-8-4, 4-8-12, and 4-8-15 the provisions of 4-8-2 through 4-8-16 do not apply to *rural outdoor signs*.

**Section 3:** Renumber **4-8-12** through **4-8-18** of **4-8**, SIGNS, of **CHAPTER 4** ADDITIONAL USE RESTRICTIONS and in TABLE OF CONTENTS, to **4-8-13** through **4-8-19**, and add a new section **4-8-12** to read:

**4-8-12 RURAL OUTDOOR SIGNS:**

*Rural outdoor signs* are permitted only in areas zoned A, AA, and AW subject to the following regulations:

- (a) *Permitted Distance.* A *rural outdoor sign* shall be erected and maintained only on property zoned A, AA, or AW. Every *rural outdoor sign* must be located within 2 miles of the property being advertised. This distance is measured radially.
- (b) *Permitted Locations.* A *rural outdoor sign* shall not:
  - (1) be located in any utility, access or drainage *easement*;
  - (2) obstruct the use of sidewalks, walkways, biking, or hiking trails;
  - (3) obstruct the use of drainage ditches, swales or other drainage facilities;
  - (4) obstruct the visibility of vehicles, pedestrians or traffic control signs or devices;
  - (5) be placed within 92 feet of *street* intersections, measured parallel to the *right-of-way* from the center of the intersection.
  - (6) be illuminated either externally or internally;
  - (7) exceed more than 3 between arterial intersections as shown on the *Thoroughfare Plan* element of the adopted *Comprehensive Plan*, and;
  - (8) be within 10 feet of another *rural outdoor sign*.
- (c) *Size Computation.* The method for computing a *rural outdoor sign*'s size is defined in 4-8-2-a and 4-8-2-b above.
- (d) *Height.* The total height shall not exceed 5 feet from the top of the *sign* to the ground immediately beneath the *sign*. The ground immediately beneath the *sign* shall not be raised to affect the measured height of the *sign*.

- (e) *Setback.* The leading edge of every **rural outdoor sign** shall be located no closer than 5 feet to the edge of the nearest **right-of-way**.
- (f) *Number Permitted per Piece of A-, AA-, or AW-zoned Property.* Each A-, AA-, or AW-zoned property shall not support more than 3 **rural outdoor signs** at any one time.
- (g) *Number of Signs per Permittee.* Each individual, business, corporation, organization, or entity **rural outdoor sign** permittee shall not have more than 4 **rural outdoor signs** within Tippecanoe County, referencing any one subject or location, in any calendar year. Any **rural outdoor sign** referencing another **rural outdoor sign** is deemed to be the same subject or location as the **sign** directed to.
- (h) *Time Allowed.* Each **rural outdoor sign** shall be valid for a period not to exceed 120 continuous days.
- (i) *Procedural Requirements.*
  - (1) **Rural outdoor signs** may only be erected after the **administrative officer** having jurisdiction over the proposed location of the **rural outdoor sign** has issued an **improvement location permit**.
  - (2) The permit application shall include:
    - (A) The name, address and telephone number of the individual and/or entity applying for the **rural outdoor sign** permit;
    - (B) The name, address and telephone number of the individual or entity owning the A-, AA-, or AW-zoned property upon which the **rural outdoor sign** is to be located;
    - (C) Notarized consent of the individual or entity owning the A-, AA-, or AW-zoned property upon which the **rural outdoor sign** is to be located;
    - (D) An accurate, to-scale drawing or depiction of the proposed **rural outdoor sign** detailing its size and manner of construction;
    - (E) The proposed beginning and ending dates for erecting and maintaining the **rural outdoor sign**; and
    - (F) An accurate, to-scale **site plan** indicating the proposed location of the requested **rural outdoor sign** and the locations of any and all other **rural outdoor signs** located on the A-, AA-, or AW-zoned property that is the proposed location for the requested **rural outdoor sign**.

**Section 4:** Change **6-2**, PERMITTING PROCESS, of **CHAPTER 6**, ADMINISTRATION, by adding new section to read:

**6-2-9 ADDITIONAL REQUIREMENTS FOR RURAL OUTDOOR SIGNS:**

- (a) The filing fee in 6-2-6-a and 6-2-6-c also applies to permit applications for **rural outdoor signs**;
- (b) If approved, a permit fee of \$10 per **sign** shall be assessed prior to issuing any **improvement location permit** for a **rural outdoor sign**;
- (c) The process for issuing a **rural outdoor sign** permit shall be as found in 6-2-1 and 6-2-2.
- (d) Each **rural outdoor sign** shall display its permit number with date of activation and expiration;
- (e) When the required information regarding permit number and activation and expiration dates is missing or illegible, the **improvement location permit** authorizing that **rural outdoor sign** is void.

**Section 5:** This ordinance shall be in full force and effect from and after its passage.

**Adopted And Passed by the Board Of Commissioners of Tippecanoe County, Indiana, this 3<sup>rd</sup> day of June, 2002.**

VOTE:

Absent

\_\_\_\_\_  
John Knochel, President

Yes

\_\_\_\_\_  
KD Benson, Vice President

Yes

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Ruth Shedd, Member

ATTEST:

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Robert A. Plantenga, Auditor